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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/690,570 | 10/23/2003 | Hiroataka Ishikawa | Q77990 | 5963 |
| 23373 7590 04/13/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037 | | | EXAMINER YOO, JASSON H | |
| | | | ART UNIT 3714 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | | MAIL DATE | DELIVERY MODE |
| 31 DAYS | | | 04/13/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/690,570 | Applicant(s) ISHIKAWA, HIROTAKA | |
| | Examiner Jasson H. Yoo | Art Unit 3714 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-10 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-5, drawn to a game system comprising two game devices wherein each game devices comprises a portable storage medium, classified in class 463, subclass 43.
- II. Claim 6, drawn to a game device that is capable of connecting to another game device, classified in class 463, subclass 42.
- III. Claim 7, drawn to a game device comprises a portable storage medium to store game information, classified in class 463, subclass 43.
- IV. Claim 8, drawn to a method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, classified in class 463, subclass 43.
- V. Claim 9, drawn to a storage medium for storing a communication program, classified in class 463, subclass 42.
- VI. Claim 10, drawn to a computer storage medium for storing a game program that records game play amount, classified in class 463, subclass 43.

Inventions I-VI are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions are:

Invention I is a network of gaming devices, such as a network of slot machines to connected to a progressive jackpot, whereas Invention II can be a stand alone game console that has network capability, such as a handheld game console.

Invention I is a network of gaming devices, such as a network of Keno machines, whereas Invention III is portable storage medium used for a game console, such as Halo game disk used to play on the Xbox game console.

Invention I is a network of gaming devices, such as a network of Bingo machines, whereas Invention IV is method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, such as trading Pokemon game characters stored on the game cartridges.

Invention I is a network of gaming devices, such as a network of slot machines to connected to a progressive jackpot, whereas Invention V is storage medium for storing a communication program, such as a game program used to allow a computer connect to a server for online poker.

Invention I is a network of gaming devices, such as a network of slot machines to connected to a progressive jackpot, whereas Invention VI is storage medium for storing a game program that records game play amount, such as a game program timer used to track the play time of playing solitaire on a users computer.

Invention II is a game device that is capable of connecting to another game device, such as a Playstation Portable game console used to connect to another Playstation Portable game console, whereas Invention III is portable storage medium used for a game console, such as Diablo game disk used to play on a PC.

Invention II is a game device that is capable of connecting to another game device, such as a PDA used to connect to PC, whereas Invention IV is method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, such as transferring game play data on a memory stick.

Invention II is a game device that is capable of connecting to another game device, such as a Xbox game console connecting to another Xbox game console, whereas Invention V is storage medium for storing a communication program, such as a game program used to allow a computer connect to a server for online poker.

Invention II is a game device that is capable of connecting to another game device, such as a PC connecting to a PC, whereas Invention VI is storage medium for storing a game program that records game play amount, such as a game program timer used to track the amount of time a user played online poker on his computer.

Invention III is game device with a portable storage medium used store game such as a game cartridge to store the game program and saved game files, whereas Invention IV is method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, such as transferring game play data on a memory stick.

Invention III is game device with a portable storage medium used store game such as a game cartridge to store the game program and saved game files, whereas Invention V is storage medium for storing a communication program, such as a game program used to allow a computer connect to a server for online poker.

Invention III is game device with a portable storage medium used store game such as a game cartridge to store the game program and saved game files, whereas Invention VI is storage medium for storing a game program that records game play amount, such as a game program timer used for a slot machine.

Invention IV is method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, such as transferring game play data on a memory stick, whereas Invention V is storage medium for storing a communication program, such as a game program used to allow a computer connect to a server for online poker.

Invention IV is method of storing game parameters in a storage medium from one gaming device and reading the game parameters at another game device, such as transferring game play data on a memory stick, whereas Invention VI is storage medium for storing a game program that records game play amount, such as a game program timer used on a game console system.

Invention V is storage medium for storing a communication program, such as a game program used to allow a computer connect to a server for online poker, whereas Invention VI is storage medium for storing a game program that records game play amount, such as a game program timer used on measure the time it takes a player to complete a puzzle game.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required

Art Unit: 3714

because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

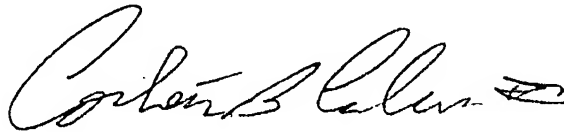
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson H. Yoo whose telephone number is (571)272-5563. The examiner can normally be reached on 8:30-5:00.

Art Unit: 3714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHY

A handwritten signature in black ink, appearing to read "Corbett B. Coburn", followed by a stylized flourish or checkmark.

CORBETT B. COBURN
PRIMARY EXAMINER